

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
JANUARY 5, 1966

This regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. of Wednesday, January 5, 1966, in the City Hall Council Chambers.

ROLL CALL Present: Councilmen - BROWN, CULBERTSON, WALTON and KIRSTEN(Mayor)

Absent: Councilmen - DOW

Also present: City Attorney Mullen(arrived 8:15 p.m.), Administrative Assistant Peterson and Planning Director Schroeder.

MINUTES Minutes of December 15, 1965 were approved as written and mailed on motion of Councilman Culbertson, Walton second.

PUBLIC HEARINGS

PIONEER SUBD.
REZONED TO
R-2 AND R-4

ORD. NO. 808
INTRODUCED

Notice thereof having been published in accordance with law, Mayor Kirsten called for public hearing on the proposal to rezone the Pioneer Subdivision which is located south of Hale Road and West of 99 Freeway. At the present time the western portion of the subdivision is zoned R-4 and the east portion, R-2. Planning Director Schroeder stated the Planning Commission has recommended that lots in the vicinity of Hale Road be zoned R-4 and the balance of the subdivision be zoned R-2. This would provide R-4 zoning between the commercial zone to the north and the residential zone to the south. Mr. Ted Schneider, Jr., 1217 Devine Drive, developer of the subdivision, said he was in favor of the rezoning as the R-4 district would provide a suitable location for older homes and apartments which are to be moved and could be made into an attractive area. There were no protests to the proposed rezoning. On motion of Councilman Culbertson, Walton second, the City Council introduced Ordinance No. 808 rezoning the Pioneer Subdivision to R-2 and R-4 as recommended.

PREZONING
WESTWAREHOUSES
ADDN TO "M"
INDUSTRIAL

ORD. NO. 809
INTRODUCED

Notice thereof having been published in accordance with law, the Mayor called for hearing on the proposal to prezone property to be annexed as Westwarehouses Addition to "M" Industrial. Mr. Schroeder pointed out the location of the property as being south of Turner Road and east of the Southern Pacific main line right of way and stated that the proposed zoning was in conformance with the present land use in Lodi's General Plan. State law permits zoning prior to annexation. There was no one present and no communications for or against the zoning. On motion of Councilman Brown, Walton second, the City Council introduced Ordinance No. 809 pre zoning the Westwarehouses Addition to "M" Industrial District.

COMMUNICATIONS

PETITION TO
ANNEX
WESTWAREHOUSES
ADDITION

RES. NO. 2904
ADOPTED

A petition was presented from Westwarehouses, Inc., asking for annexation of the corporation's property south of Turner Road and east of the Southern Pacific Railroad right of way as the Westwarehouses Addition. The proposed annexation has been approved by the San Joaquin County Local Agency Formation Commission. On motion of Councilman Walton, Brown second, the City

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Council adopted Resolution No. 2904 stating the Council's intention to annex the Westwarehouses Addition to the City of Lodi and setting public hearing thereon for January 19, 1966.

J. K. DONAHUE
RE CATV

A letter was received from James K. Donahue stating his interest in the possibility of installing a Community Antenna Television system in Lodi and asking if the City would consider an application for a franchise. Councilman Walton moved that the Mayor write a letter to Mr. Donahue informing him that the Council would be willing to entertain such a proposal, it being understood this would not commit the City in any way. His motion was seconded by Councilman Culbertson and carried by unanimous vote.

W. S. REESE RE
VANDALISM

A letter was read from W. S. Reese, 1309 South Central Avenue, deploring current vandalism and recommending a curfew for persons under 21 years of age. The Council requested that the letter be referred to the Chief of Police.

W. S. REESE RE
HAZARDS ON
KETTLEMAN LANE

Mr. W. S. Reese, 1309 South Central Avenue, had also written to the Council in regard to Kettleman Lane between Central Avenue and Cherokee Lane. He said the pavement was narrow and dangerous for bicyclists and he requested that a bicycle path be installed on the north side of Kettleman Lane. (City Attorney Mullen arrived.) There was some discussion concerning hazards along Kettleman Lane where curb, gutter and sidewalk were lacking. A study and report from the City Manager in conjunction with the Public Works Director and the City Attorney was requested on what could be done to get improvements along the north side of Kettleman Lane in the general area between Stockton Street and Cherokee Lane.

REPORTS OF THE CITY MANAGER

CLAIMS

Claims in the amount of \$575,819.73 ^{were} ~~was~~ approved on motion of Councilman Walton, Brown second.

COUNTY
ELECTION
SERVICES

An agreement with the County of San Joaquin for services in connection with the 1966 municipal election was presented. The agreement is similar to those approved in the past for election services. On motion of Councilman Brown, Culbertson second, the City Council adopted Resolution No. 2905 approving the contract with the County for 1966 election services and authorizing its execution by the Mayor.

RES. NO. 2905
ADOPTED

AWARD -
HAM LANE STORM
DRAIN-MOKELUMNE
RIVER OUTFALL

Administrative Assistant Peterson presented the following tabulation of bids on the Ham Lane Storm Drain-Mokelumne River Outfall, Unit No. 2:

RES. NO. 2906
ADOPTED

Stockton Construction Co.	\$11,677.20
W. M. Lyles Co.	12,246.00
Claude C. Wood Co.	12,757.00
A. Teichert & Son, Inc.	15,987.00
Valley Engineers	16,834.80
R. Gould & Son	17,104.20
Tompkins and Gallaven	17,133.44
Parrish, Inc.	19,466.00

In connection with this project, the City Attorney stated an easement was required over the Beckman-Jones-Devine property and that to date the deed therefor had not been signed. Since the work must be done before March 1, 1966 he recommended that award be made and that

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he be authorized to start condemnation proceedings if necessary. On motion of Councilman Culbertson, Brown second, the City Council adopted Resolution No. 2906 awarding the contract for the Ham Lane Storm Drain-Mokelumne River Outfall, Unit No. 2, to the low bidder, Stockton Construction Company.

CONDEMNATION -
EASEMENT FOR
OUTFALL PROJECT

RES. NO. 2907
ADOPTED

In order to provide an easement for the above project, Councilman Culbertson moved the adoption of Resolution No. 2907 authorizing the City Attorney to proceed with condemnation for right of way over the Beckman-Jones-Devine property to the Mokelumne River. His motion was seconded by Councilman Walton and carried unanimously.

AWARD -
LAKE PUMP
STATION OUTFALL

RES. NO. 2908
ADOPTED

The following bids were received on the Lodi Lake Pump Station Outfall:

Claude C. Wood Company	\$ 6,315.00
Stockton Construction Co.	6,420.00
W. M. Lyles Company	6,685.00
R. Gould & Son	8,975.00
Parrish, Inc.	10,084.00
A. Teichert & Son	10,340.00
Tompkins & Gallaven	10,392.19
Frahm-Kelly Co.	10,735.00
Barton Construction Co.	10,871.00
Valley Engineers	11,145.00

On motion of Councilman Brown, Culbertson second, award was made to the low bidder, Claude C. Wood Company, by the adoption of Resolution No. 2908.

AWARD -
TRACTOR, LOADER
AND SCRAPER

RES. NO. 2909
ADOPTED

Bids received complying with specifications for a tractor, loader and scraper were as follows:

Lodi Tractor Company	\$2,849.24
Bechthold Tractor Co.	3,416.00
Ghidossi & Son	3,585.31
International Harvester	4,626.48

On motion of Councilman Brown, Walton second, the City Council adopted Resolution No. 2909 awarding the contract for the tractor, loader and scraper to the low bidder, Lodi Tractor Company for the amount of their bid.

AWARD -
DERRICK AND
AUGER

RES. NO. 2910
ADOPTED

The following bids complying with specifications were received for one derrick and auger equipment:

Utility Body Company	\$8,646.50
Edward R. Bacon Company	\$9,100.00 plus tax

On motion of Councilman Culbertson, Walton second, the City Council adopted Resolution No. 2910 awarding the contract for derrick and auger equipment to the low bidder, Utility Body Company.

EASEMENT UNDER
SP TRACKS

RES. NO. 2911
ADOPTED

Mr. Peterson presented an agreement with Southern Pacific Company covering installation of a water line under the Company's tracks at California Street. On motion of Councilman Brown, Walton second, the City Council adopted Resolution No. 2911 authorizing the Mayor to execute said agreement on behalf of the City.

STREETS IN
LAKEWOOD NO. 2
ACCEPTED

RES. NO. 2912
ADOPTED

The streets in Lakewood Unit No. 2 have been completed and are ready for acceptance by the City. On motion of Councilman Brown, Walton second, the City Council adopted Resolution No. 2912 accepting streets in Lakewood Unit No. 2 Subdivision.

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<p>SPECS - VAN-TYPE TRUCK</p>	<p>Specifications for a van-type truck for use by the survey crew were presented for Council consideration. On motion of Councilman Walton, Brown second, the City Council approved the specifications and authorized calling for bids on the van-type truck.</p>
<p>SPECS - AIR COMPRESSOR</p>	<p>Specifications for an air compressor were approved and advertising for bids thereon authorized by the City Council on motion of Councilman Walton, Brown second.</p>
<p>SPECS - SPRINKLER SYSTEMS</p>	<p>Specifications were presented for the installation of automatic sprinkler systems in the Lawrence Park Ball Diamond and the Stadium playing field. On motion of Councilman Culbertson, Brown second, the City Council approved the specifications and authorized calling for bids on the said sprinkler systems.</p>
<p>DRIVEWAYS - H. GUNSCH PROPERTY ON CHEROKEE LANE</p>	<p>The Council then considered the request of Henry Gunsch, which had been continued from the meeting of December 15, for driveways in front of his property on Cherokee Lane where he proposes to expand a trailer park. Mr. Peterson read a memorandum from the Director of Public Works in which it was stated that a title report shows that the only legal access right to the Gunsch property was granted in 1946, but has never been used. Sketches were shown to the Council indicating the proposed driveway for the trailer park, two existing driveways for the trailer park, and driveway area for an existing commercial building. The Director of Public Works recommended that a driveway be approved for each end of the expanded trailer court and that a driveway be granted for the commercial building. Further, in exchange for these access rights he recommended that Mr. Gunsch install curb, gutter and sidewalk for the entire length of his property. After discussion concerning the access rights and the number of driveways needed, it was moved by Councilman Culbertson that access be granted for a driveway at the north and a driveway at the south end of the trailer court area and a driveway in front of the commercial building, providing the present access right is relinquished, the existing driveway in the middle area of the trailer park is eliminated, and the property owner installs curb, gutter and sidewalk for the entire length of his property. Councilman Brown said he could not go along on the installation of curb, gutter and sidewalk for the entire frontage because the building was in a depressed area and it would be too much of a hardship on the property owner. He moved a substitute motion requiring installation of curb, gutter and sidewalk from the south side of the commercial building to the south end of the property. His motion died for lack of a second. The original motion then carried by the following vote:</p> <p style="margin-left: 40px;">Ayes: Councilmen - CULBERTSON, WALTON and KIRSTEN</p> <p style="margin-left: 40px;">Noes: Councilmen - BROWN</p> <p style="margin-left: 40px;">ABSENT: Councilmen - DON</p>
<p>ENGINEERING DESIGN STANDARDS</p>	<p>Stating that he would like to have more time to study the Engineering Design Standards recommended for approval by the Planning Commission, Councilman Walton moved that consideration of the Standards be continued to the meeting of February 2, 1936.</p>
<p>LAWRENCE PARK REFRESHMENT STAND</p>	<p>Plans were presented for the Lawrence Park Refreshment Stand. On motion of Councilman Culbertson, Walton second, the plans were referred to the Director of Public Works for refinement.</p>

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ORDINANCES

REZONING
536 E. FLORA
TO C-2

ORDINANCE NO. 807, entitled "AMENDING THE OFFICIAL DISTRICT MAP OF THE CITY OF LODI AND THEREBY REZONING LOT 10, FLORA STREET TRACT, TO BE IN THE C-2 GENERAL COMMERCIAL DISTRICT," having been introduced at the regular meeting of December 15, 1965, was brought up for passage on motion of Councilman Brown, Walton second. Second reading was omitted after reading by title, and the ordinance was then passed, adopted and ordered to print by the following vote:

Ayes: Councilmen - BROWN, CULBERTSON, WALTON
and KIRSTEN

Noes: Councilmen - None

ABSENT: Councilmen - DOW

REPORTS OF THE CITY MANAGER (Continued)

P. TRITENBACH
TO DESIGN PRO-
POSED PARK AREA

Mr. Peterson reported that negotiations had been completed with Mr. Paul Tritenbach for landscape design of the fifty-acre area east of Lodi Lake which the Recreation Commission has recommended be acquired by the City. His fee is \$860.

OPEN SPACE LAND
GRANT FOR BASINS
B-1 AND B-2

On motion of Councilman Walton, Brown second, the City Council adopted Resolution No. 2913 authorizing the City Manager to file application for a Federal grant to acquire open space land for Basin B-1. The Council then adopted Resolution No. 2914 on motion of Councilman Brown, Walton second, authorizing the City Manager to file an application for a Federal grant for open space land for Basin B-2.

RES. NO. 2913
& NO. 2914
ADOPTED

CITIES & COUNTY
MEETING

The Cities and County of San Joaquin Association will have their regular meeting at The Ranch on January 13, 1966.

CALIFORNIA
BASEBALL
LEAGUE
PROPOSAL

Administrative Assistant Peterson stated the California Baseball League was interested in having a team in Lodi, contingent on certain improvements to the ball park. He said the Recreation Commission was considering the proposal and would bring a recommendation to the Council. The Council was in agreement that first consideration should be given to the effect of such a proposal on local teams and that a close look should be given to costs also.

ACQUISITION -
316 W. ELM FOR
CIVIC CENTER
AREA

City Attorney Mullen said that agreement had been reached on acquisition of the Atkinson property at 316 West Elm Street for the Civic Center complex. He read a letter dated January 6, 1966 which he proposed to send to Mr. Atkinson providing the conditions set forth therein are acceptable to the Council, as follows: 1) The City will pay a total cost of \$21,000; 2) Possession of the property will be made on or before June 30, 1966; 3) The request for establishment of an "honorary trust" will be respected; 4) The policy of the City has been not to remove trees unless necessary; and 5) if Mr. Atkinson is high bidder when the house is up for public auction, he will become owner of the house. Mr. Atkinson agrees to these conditions. On motion of Councilman Culbertson, Walton second, the City Council approved the conditions set forth in the City Attorney's letter of January 6, 1966 to Mr. Atkinson and authorized acceptance of the deed.

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CONDEMNATION -
312 W. ELM ST.
FOR CIVIC CENTER

RES. NO. 2903
ADOPTED

According to Mr. Mullen, the City has been unable to get a definite answer from the Thomas J. Carey's for acquisition of their property at 312 West Elm which is required for the Civic Center site. He recommended that he be authorized to start condemnation proceedings in the event such action is necessary. On motion of Councilman Culbertson, Walton second, the City Council adopted Resolution No. 2903 by unanimous vote authorizing and directing condemnation of the property at 312 West Elm Street for the Civic Center site.

BUD SULLIVAN
APPOINTED
ASST. CITY
ATTORNEY

City Attorney Mullen stated he would like to have C. M. "Bud" Sullivan, Jr., serve as Assistant City Attorney without compensation, and requested that his appointment be ratified by the Council. On motion of Councilman Walton, Brown second, the City Council approved the appointment of Bud Sullivan as Assistant City Attorney without added compensation.

EXECUTIVE
SESSION
SCHEDULED

The Council agreed that an executive session be held at the meeting of January 19, 1966, in order to discuss a letter written to the City Manager by the Board of Directors of the City Employees Association.

ADJOURNMENT

There being no further business, the Council adjourned at 10 p.m. on motion of Councilman Brown.

Beatrice Garibaldi
Attest: BEATRICE GARIBALDI
City Clerk